

The Honorable Richard A. Jones

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

STATE OF WASHINGTON; et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
STATE; et al.,

Defendants.

NO. 2:20-cv-00111-RAJ

STIPULATED MOTION TO  
MODIFY SUMMARY  
JUDGMENT BRIEFING  
SCHEDULE

NOTE ON MOTION CALENDAR:  
DECEMBER 9, 2020

**I. STIPULATED MOTION**

Plaintiffs and the Federal Defendants respectfully submit this stipulated motion to modify the summary judgment briefing schedule to extend the remaining deadlines by 60 days. The Intervenor Defendants take no position on this motion.

On April 22, 2020, the Court issued a text order setting the following briefing schedule for the parties' cross-motions for summary judgment:

The parties shall file cross-dispositive motions, with the first motion to be filed 60 days after production of the Administrative Record. In the event of any motion to supplement and/or correct the Administrative Record, this 60-day deadline will be vacated and reset to run from the production of any supplement or correction to the Administrative Record, or the date of resolution of such motion, whichever is later. The second cross-dispositive motion, combined with the response to the first cross-dispositive motion, will be filed 28 days after the first cross-dispositive motion. The response to the second cross-dispositive motion, combined with the reply in support of the first cross-dispositive motion, will be filed 28 days after the second cross-dispositive motion. The reply in support of the second cross-dispositive motion will be filed 21 days after the first party's response/reply. If the

Intervenor Defendants participate in these cross-dispositive motions, they will file their briefs on the same schedule as the Federal Defendants.

(Unnumbered docket entry following Dkt. # 97.)

The Federal Defendants completed their filing of the administrative record on September 25, 2020. *See* Dkt. ## 106, 107, 109 and related sub-entries. On November 24, 2020, in accordance with the April 22 order, the Federal Defendants filed their Motion for Summary Judgment. Dkt. # 110. The Intervenor Defendants did not file a brief. Currently, Plaintiffs' combined cross-motion and response brief is due December 22, 2020, and briefing will be completed in February 2021.

Plaintiffs and the Federal Defendants agree that good cause exists for a 60-day extension of the remaining summary judgment briefing deadlines. The administrative record is extensive, consisting of 73 separate docket entries and approximately 55,903 pages, requiring more time than anticipated for Plaintiffs to complete their review. Moreover, the current briefing schedule spans the New Year and includes the winter holidays as well as Inauguration Day, presenting challenges for counsel in completing briefing and obtaining management review. An additional 60 days will afford the parties and their counsel additional time to prepare briefing based on the extensive record, and provide time for appropriate review of the parties' filings. Accordingly, Plaintiffs and the Federal Defendants respectfully request that the Court modify the summary judgment briefing schedule to extend the remaining deadlines by 60 days, as follows:

- Plaintiffs' combined cross-dispositive motion and response to Defendants' Motion for Summary Judgment shall be filed by February 20, 2021.
- Defendants' combined response to plaintiffs' motion and reply in support of their Motion for Summary Judgment shall be filed by March 20, 2021.
- Plaintiffs' reply in support of their motion shall be filed by April 12, 2021.

1 DATED this 9th day of December 2020.

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**II. ORDER**

Pursuant to the above stipulation, it is so ordered.

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THE HONORABLE RICHARD A. JONES  
UNITED STATES DISTRICT JUDGE